

REMARKS

The non-final Office Action of November 26, 2003, has been fully considered by the Applicants. Withdrawal of the rejections and objections and issuance of a Notice of Allowance is requested.

The Examiner objected to claim 38 under 37 C.F.R. §1.75 as being a substantial duplicate of claim 8. Applicants disagree with the objection.

Applicants submit that claim 38 is not a substantial duplicate of claim 8. The device set forth in claim 38 does not include all the features of the device in claim 8 and therefore is not a substantial duplicate of claim 8. Applicants request that the objection of claim 38 be withdrawn.

Claims 39-41 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,347,144 to Garnier, et al. Applicants traverse this rejection.

Applicants submit that the '144 reference fails to anticipate claims 39-41. The Examiner has not shown where the '144 reference illustrates an electronic device containing a polythiophene of formula (I) wherein R is a siloxyalkyl of trimethylsiloxyalkyl or triethylsiloxyalkyl. The Examiner has already in fact acknowledged that an electronic device with a polythiophene as set forth in claim 39 is patentable subject matter. Specifically, the Examiner stated "the prior art does not teach or suggest, in combination with the other claimed limitations, an electronic device having the polythiophene of the formula (I) of claim 1 wherein the R side chain is a siloxyalkyl of trimethylsiloxyalkyl or triethylsiloxyalkyl." (Office Action, November 26, 2003, page 5). Additionally, the Examiner has failed to show where the '144 reference illustrates an electronic device containing a polythiophene as set forth in claim 39 wherein the polythiophene has a number average molecular weight of from about 2,000 to about 100,000 and a weight average molecular weight of from about 4,000 to over 500,000. Thus, the '144 reference does not demonstrate every feature of claims 39-41, and therefore does not anticipate claims 39-41. Applicants submit that claims 39-41 are in condition for allowance. Applicants request that the rejection of claims 39-41 be withdrawn.

Applicants note that claims 40 and 41 have been clarified to more clearly indicate what is being claimed and that the changes are not made for reasons related to patentability.

Applicants submit that new claims 42-53 are allowable. Specifically, claims 42-46 are dependent from or ultimately dependent from allowable claim 36, and as

such are also therefore allowable. Claims 47-53 are dependent from or ultimately dependent from independent claim 8 which the Examiner has stated is allowable. Claims 47-53 are therefore also allowable.

The present application is in condition for allowance. Withdrawal of the rejections and objections and issuance of a Notice of Allowance is requested.

No additional fee is believed to be required for this Amendment; however, the undersigned Xerox Corporation attorney (or agent) hereby authorizes the charging of necessary fees, other than the issue fee, to Xerox Corporation Deposit Account No. 24-0037.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Richard M. Klein, at telephone number 216/861-5582, Cleveland, Ohio.

Respectfully submitted,

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